

AO 257 (Rev. 6/78)

E-filing

DEFENDANT INFORMATION RELATIVE TO A CRIMINAL ACTION - IN U.S. DISTRICT COURT

BY: ☐ COMPLAINT ☐ INFORMATION ☒ INDICTMENT
☐ SUPERSEDING

OFFENSE CHARGED

21 USC Sections 841(a)(1) and (b)
(1)(B)iii - Possession With Intent
To Distribute COcaine Base;
18 USC Sections 922(g)(1) - Felon
in Possession of a Firearm☐ Petty
☐ Minor
☐ Misdemeanor
☒ Felony

PENALTY:

Counts 1 and 2: 10 years imprisonment; \$250,000 fine; 3
years supervised release and \$100 special assessment each
count.

PROCEEDING

Name of Complainant Agency, or Person (& Title, if any)

Federal Bureau of Investigation

☐ person is awaiting trial in another Federal or State
Court, give name of court☐ this person/proceeding is transferred from another
district per (circle one) FRCrP 20, 21 or 40. Show
District☐ this is a reprosecution of
charges previously dismissed
☐ which were dismissed on
motion of:☐ U.S. Att'y ☐ Defense☐ this prosecution relates to a
pending case involving this same
defendant☒ prior proceedings or appearance(s)
before U.S. Magistrate regarding
this defendant were recorded underSHOW
DOCKET NO.MAGISTRATE
CASE NO.

4-07-70189wdb

Name and Office of Person
Furnishing Information on
THIS FORM

SCOTT N. SCHOOLS

☒ U.S. Att'y ☐ Other U.S. AgencyName of Asst. U.S. Att'y
(if assigned)

DEREK BUTTS, SAUSA

Name of District Court, and/or Judge/Magistrate Location
NORTHERN DISTRICT OF CALIFORNIA

DEFENDANT - U.S.

DAVID C. SHIVERS

DISTRICT COURT NUMBER

CRO7-00346

FILED
MAY 31 2007
RICHARD W. WIEKING
CLERK, U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
OAKLAND

DEFENDANT

IS NOT IN CUSTODY

- 1) ☐ Has not been arrested, pending outcome this proceeding.
If not detained give date any prior summons
was served on above charges
- 2) ☐ Is a Fugitive
- 3) ☐ Is on Bail or Release from (show District)

IS IN CUSTODY

- 4) ☐ On this charge
- 5) ☐ On another conviction
- 6) ☒ Awaiting trial on other charges } ☐ Fed'l ☒ State

If answer to (6) is "Yes", show name of institution

CONTRA COSTA COUNTY JAIL

Has detainer } If "Yes"
been filed? ☐ Yes ☒ No } give date
filedDATE OF
ARREST

Month/Day/Year

3/11/2007

Or... If Arresting Agency & Warrant were not

DATE TRANSFERRED
TO U.S. CUSTODY

Month/Day/Year

☐ This report amends AO 257 previously submitted

ADDITIONAL INFORMATION OR COMMENTS

PROCESS:

☐ SUMMONS ☐ NO PROCESS* ☒ WARRANT Bail Amount: NO BAIL

If Summons, complete following:

☐ Arraignment ☐ Initial Appearance

Defendant Address:

*Where defendant previously apprehended on complaint, no new summons
or warrant needed, since Magistrate has scheduled arraignment

Date/Time:

Before Judge:

Comments:

United States District Court


FOR THE
NORTHERN DISTRICT OF CALIFORNIA
CRIMINAL DIVISION
VENUE: OAKLAND

E-filing

UNITED STATES OF AMERICA,

v.

DAVID C. SHIVERS,

CRO7-00346


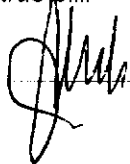
FILED
2007 MAY 31 PM 12:36
RICHARD J. HOFFMAN
CLERK U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
S.D.A.

DEFENDANT.

INDICTMENT

VIOLATIONS: 21 U.S.C. Section 841(a)(1) and (b)(1)(B)iii- Possession with
Intent to Distribute Cocaine ;
18 U.S.C. Section 922(g)(1) - Felon in Possession of a Firearm and
Ammunition

A true bill.



Foreman

Filed in open court this 31st day of
May, 2007

Clerk

Bail, \$

No bail arrest warrant.
Wayne D. Brazil 5-31-07

SCOTT N. SCHOOLS (SCBN 9990)
United States Attorney

E-filing

FILED

2007 MAY 31 PM 12:36

RICHARD V. LEE
CLERK, U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

OAKLAND DIVISION

CR07-00346

UNITED STATES OF AMERICA,

Plaintiff,

v.

DAVID C. SHIVERS,

Defendant.

No. [REDACTED]

VIOLATIONS: 21 U.S.C. §§ 841(a)(1) and
841(b)(1)(B)(iii) – Possession With Intent
To Distribute Cocaine Base; 18 U.S.C. §
922(g)(1) – Felon in Possession of a Firearm

OAKLAND VENUE

INDICTMENT

The Grand Jury charges:

COUNT ONE: (21 U.S.C. §§ 841(a)(1) and 841(b)(1)(A)(iii) -- Possession With Intent To
Distribute Cocaine Base)

On or about March 11, 2007, in the Northern District of California, the defendant,

DAVID C. SHIVERS,

did knowingly and intentionally possess with intent to distribute a Schedule II controlled
substance, namely, at least 5 grams of a mixture and substance containing cocaine base (in the
form of "crack" cocaine), in violation of Title 21, United States Code, Sections 841(a)(1) and
841(b)(1)(B)(iii).

INDICTMENT

1 COUNT TWO: (18 U.S.C. § 922(g)(1) – Felon in Possession of Firearm and Ammunition)

2 On or about March 11, 2007, in the Northern District of California, the defendant,

3 DAVID C. SHIVERS,

4 having previously been convicted of a felony crime punishable by a term of imprisonment
5 exceeding one year, did knowingly possess a firearm, described as a Smith & Wesson, Model
6 5903, 9 mm pistol, serial number TEU8705, in and affecting commerce, and did knowingly
7 possess ammunition, described as eight rounds of Federal Cartridge ammunition, in and affecting
8 commerce, all in violation of Title 18, United States Code, Section 922(g)(1).

9 //


10 DATED: May 31, 2007

A TRUE BILL.

11 
12 FOREPERSON

13 SCOTT N. SCHOOLS
14 United States Attorney

15 
16 DOUGLAS SPRAGUE
17 Chief, Oakland Branch

18 (Approved as to form: )
19 SAUSA BUTTS

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INDICTMENT